

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 9, 1961  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

## Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. WILLIAM ANDERSON, Trinity United Church of Christ.

The Council greeted and welcomed a group of youths and MR. TOMMY GRAY, Lieutenant Governor of the Youth Council. Mr. Gray said the young men were representatives of the Optimists Youth activities, and introduced three from the Scouts, two from bowling leagues, three from the Little League Base Ball, and two from the Little League Football and expressed appreciation to the Council for honoring the boys during Youth Week.

COUNCILMAN ARMSTRONG stated everyone was talking about Civil Defense, and Austin had a larger sum of money appropriated than some of the much larger cities. He said COLONEL KENGLA had been carrying on courses and there is another group who has finished a 12-hour course and they would like to offer their services to help out in any way possible, not in conflict with Colonel Kengla's program. Councilman Armstrong stated it was a very admirable thing that these people want to offer their services. The Mayor expressed appreciation to the group (MRS. GORDON MILLS, representative), stating the more people that are trained, the more there would be to help educate the people of Austin.

The City Manager read the recommendation from MR. D. N. HIGGINS, JR., Brown & Root, Inc., Consulting Engineers regarding bids received for Holly Street Power Station, "Low Voltage Distribution Apparatus", Contract No. 89, as follows:

"November 7, 1961

1127

"Mr. W. T. Williams, Jr., City Manager  
City of Austin  
P. O. Box 1160  
Austin 64, Texas

"HOLLY STREET POWER STATION  
UNIT NO. 2  
CONTRACT NO. 89

"Dear Mr. Williams:

"We have examined the bids opened by you at 10:00 A.M. November 2, 1961, in open council meeting, for the Unit No. 2 Holly Street Power Station "Low Voltage Distribution Apparatus," Contract No. 89.

"Bids on Item I (Motor Control Centers No. 21, 22 and 23) were submitted by Graybar Electric Company, Inc., Wilson Electrical Equipment Company, Powell Electrical Manufacturing Company, Inc., and Westinghouse Electric Corporation. On the basis of lowest price and satisfactory delivery, it is recommended that Wilson Electrical Equipment Company be awarded the contract for Item I for the sum of \$9,542.00.

"One bid on Item II (Motor Control Center No. 24) was submitted by Powell Electrical Manufacturing Company. The equipment specified in Item II consists of Motor Control Devices which must match and line up with existing equipment, and which will be field installed in an existing motor control center housing manufactured by the Federal Pacific Electric Manufacturing Company. On the basis of having received one noncompetitive bid, it is recommended that this bid on Item II be rejected. A further study of this matter is being made.

"No bids were received on Item III (Battery Charger). A further study of this matter is being made.

"Bids on Item IV (Battery Charging Control and D. C. Distribution Switchboard and A. C. Distribution Switchboard) were submitted by Graybar Electric Company, Inc., Powell Electrical Manufacturing Company, Inc., and Westinghouse Electric Corporation.

"On the basis of lowest price and satisfactory delivery, it is recommended that Powell Electrical Manufacturing Company, Inc., be awarded the contract for Item IV for the sum of \$2,188.00.

"Bids on Item V (Spare Parts for Item IV) were submitted by Graybar Electric Company and Westinghouse Electric Corporation. Both bidders on Item V were high bidders on Item IV, for which the parts were specified. On the basis of the proposed parts not being interchangeable with equipment to be furnished by the recommended bidder on Item IV, it is recommended that both bids be rejected and that the City of Austin purchase repair parts individually at such times as they are required for maintenance.

"Very truly yours,  
BROWN & ROOT, INC.  
s/ D. N. Higgins, Jr.  
Chief Power Engineer

"APPROVED:  
s/ D. C. Kinney  
Director of Public Utilities  
City of Austin"

The City Manager stated this recommendation was his recommendation. Councilman Shanks moved that the recommendation of the Consulting Engineers and the City Manager, be accepted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Council greeted and welcomed MISS MALINE GILBERT, and MRS. COLEMAN GAY III, representing the Junior League.

MR. BYRON FULLERTON, representing LOUIS LAIBOVITZ made inquiry about the change of plans for right-of-way and development of 29th and Rio Grande, stating they were ready to come to an agreement when the plans were finally made. The City Attorney reported the plan discussed was satisfactory, and suggested that Mr. Fullerton meet with MR. DUDLEY FOWLER, Assistant City Attorney.

MRS. R. G. SEIDERS and her daughter were present regarding any change in the width of East 45 $\frac{1}{2}$  Street from a 30' street. The Mayor stated there was a group of property owners asking that the paving be at 25'; but it seems there is a majority of people wanting the 30' width. Councilman Shanks moved that to comply with all the technicalities of the law that no exception be made in the ordinance, which requires a 30' street. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer  
Noes: Councilman White

The Council had before it an appeal of MRS. ALICE B. HOLMES from the Planning Commission decision to deny Special Permit for construction of a filling station at Leon and West 24th Street. MR. ROBERT SNEED represented MRS. HOLMES, stating she had a contract with TEXACO for a 15 year lease if the special permit were granted. He argued Mr. Osborne's statement in the recommendation to the Planning Commission that this would be extending the zoning by special permit, as such special permit is provided under "O" when the property is contiguous to "C". Mr. Sneed asked permission to amend the plan to show that a five-foot redwood fence would be erected in accordance with the requirements of the ordinance. He pointed out the other element of opposition from the Commission was the grade was too steep for a filling station. He filed pictures taken on 24th Street facing west, showing that the grade incline occurs to the west of their property at least 150' beyond the property, and presents no problem. As to development of University houses, fraternity and sorority houses, Mr. Sneed stated this type would add more density to the area and the parking would become more congested. He pointed out the advantages of a filling station in a congested heavily

travelled area over other development. Opposition to the special permit was expressed by DR. WALTER LONG who stated a filling station at this location would lessen the desirability of his property as either housing or office purposes. He said his property was for sale and four people had investigated the possibility of putting offices or apartments there; while two had inquired about filling stations, which he did not consider. He described the traffic as heavily congested; and if this permit were granted, he probably would have to request a similar permit. MRS. H. LOWE opposed the special permit due to traffic. MR. WALTER E. LONG said his property was purchased for office purposes. He pointed out there were very few east and west traffic arteries, and 24th is one of those. When it is widened, 24th will be a very heavily travelled street. MR. SNEED stated he believed within the sound purposes and intent of the zoning ordinance they had complied with every requirement and asked the Council to grant the special permit. Finally, after much discussion, Councilman White moved that the special permit be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Shanks, White, Mayor Palmer  
 Noes: Councilmen Armstrong, Perry

Pursuant to published notice thereof the following zoning applications were publicly heard:

LEROY ECK By John McPhaul & Don West	405 Academy (Rear)	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area RECOMMENDED by the Planning Commission
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Councilman White moved that the change be granted to "B" Residence 2nd Height and Area. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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LaFRAY CARTER By Oliver B. Street	1408-1414 (1406) Rosewood Avenue	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area NOT Recommended by the Planning Commission RECOMMENDED "B" Residence 1st Height and Area
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Councilman Armstrong moved that the change to "B" Residence 1st Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the

following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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OLEN E. HAGER	2704 French Place Additional Area 2702 French Place	From "A" Residence 1st Height and Area & "C" Commercial 1st Height and Area To "B" Residence 2nd Height and Area NOT Recommended by the Planning Commission RECOMMENDED "B" Residence 1st Height and Area for 2704 French Place and "C" Commercial 2nd Height and Area for 2702 French Place
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Mr. Hager said he accepted the recommendation of the Planning Commission. Councilman Perry moved that the change be granted to "B" Residence 1st Height and Area for 2704 French Place and "C" Commercial 2nd Height and Area for 2702 French Place, as recommended by the Planning Commission. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area for 2704 French Place and "C" Commercial 2nd Height and Area for 2702 French Place; and the City Attorney was instructed to draw the necessary ordinance to cover.

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DR. & MRS. B.E. CONNER By Horace S.Wallace, Jr.	1201 Cotton Street 1187-89 Navasota Street	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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One property owner objected, as she did not want this area to develop in the deplorable manner that Waller did. Councilman White moved that the change to "O" Office be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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H. G. WEST	505-521 West Oltorf Street 2401-09 South 1st Street	From "O" Office, "GR" General Retail & "C-1" Commercial 1st Height & Area To "O" Office, "GR" General Retail & "C-1" Commercial 2nd Height & Area NOT Recommended by the Planning Commission
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Mr. West submitted plans for a 32 unit apartment House, stating under the "GR" General Retail zoning existing they could build 25 units, but they want to put in an additional 7 units. He said more than adequate off-street parking was being provided. The Mayor asked if Mr. West would give a letter stating he would not construct more than 32 units on the present tract. Mr. West said he certainly would. Councilman Shanks moved that the application be granted subject to Mr. West's filing a letter with the City Attorney that he will not at any time construct more than 32 units. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "O" Office, "GR" General Retail and "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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HOWARD D. PRINGLE By Oscar W. Holmes	6613-6847 Burnet Lane 2008-2208 Justin Lane	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission RECOMMENDED "O" Office for 6613-6847 Burnet Lane; "IR" Local Retail for 2008-2208 Justin Lane (except eastern 100') and "O" Office for eastern 100' of 2008-2208 Justin Lane
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MR. JOHN McPHAUL stated they were in agreement with the Planning Commission recommendation on property on Justin Lane to be "IR" Local Retail with the eastern 100' being "O" Office, but they wanted "C" Commercial for the lots facing on Burnet Lane. He stated there were sub-contractors who needed small lots for

warehouse space. The Council discussed the warehouse zonings. Mr. McPhaul said there would not be any open storage yards. He mentioned the subdivision to the east, North Ridge Terrace. The Planning Director stated these storage places were hard to enforce; that the use will be heavy commercial adjoining a residential section. Mr. McPhaul was asked if he would assure any purchaser that a contractors storage yard was going to be on these locations. Mr. McPhaul said he would put up signs and list the names of companies who are involved. Councilman Perry asked if he were to put signs up that the property was "C" Commercial; and as the lots were sold, he would put the name of company that purchased them on the respective lots. Mr. McPhaul stated he intended to put a 8x16' sign on the whole tract and list the contractors as they would buy. He stated he would do either way. Councilman Armstrong moved that "C" Commercial be granted on the property at 6613-6847 Burnet Lane; and that "LR" Local Retail be granted on the balance of the tract (2008-2208 Justin Lane) less the eastern 100'; and that "O" Office be granted on the eastern 100'. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The Mayor announced that the change had been granted to "C" Commercial for 6613-6847 Burnet Lane; to "LR" Local Retail for 2008-2208 Justin Lane less the eastern 100'; and to "O" Office for the eastern 100'; and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. F. W. KING	5406-16 Bull Creek Road (Now Parkcrest Drive) (Original zoning of 1957 Area 6, Tract 7)	From Interim "A" Residence 1st Height & Area To "C" Commercial 1st Height & Area NOT Recommended by the Planning Commission RECOMMENDED "GR" General Retail 1st Height & Area
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Mrs. King stated this property was left Interim "A" Residence non-conforming, as they still had the use of it for four years. She said they had a purchaser, and wanted "C" Commercial; but they were agreeable to accepting "GR" General Retail as recommended by the Planning Commission on November 7. The City Attorney explained the status of this long pending application. There was no opposition at the previous hearing of the Council. Councilman White moved that "GR" General Retail 1st Height and Area be granted for this tract as recommended by the Planning Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The Mayor announced that "GR" General Retail 1st Height and Area had been granted for this tract and the City Attorney was instructed to draw the necessary ordinance to cover.

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ROBERT L. ALLEN

1617 Koenig Lane  
5805-07 Jeff Davis Ave.From "A" Residence  
To "O" Office  
NOT Recommended by the  
Planning Commission

No one appeared representing the applicant. Councilman Perry moved that the change be denied. The motion lost for the lack of a second. Councilman Shanks moved that the Planning Director be asked to contact the applicant to see if he would like to withdraw the application. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer  
Noes: Councilman Perry

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FRANK REEDER

8333-41 Burnet Road  
2307-15 Doris DriveFrom "C" Commercial  
To "C-1" Commercial  
RECOMMENDED by the  
Planning Commission

The Council deferred action until it could make a personal inspection of the area.

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Councilman Perry moved that MR. PUTNAM be granted permission to set up a booth for the remainder of this day (November 9th) and the next day to sell tickets to the JACK COX BANQUET to be held November 10th, the booth to be located in front of the Austin Hotel. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

MR. BOW WILLIAMS asked if it would be possible to require property owners to pave the alley between 6th and 7th Streets from Baylor to Lamar (about 610 Lamar, behind Safeway Stores) as the gravel washes down everytime it rains. The Mayor asked that the Director of Public Works be requested to check on this.

MR. BOW WILLIAMS asked if the Council could widen 24th Street between Rio Grande and Lamar as traffic was getting heavier all the time. Mayor Palmer stated plans were being considered to make 29th a cross-town street; that the plans are being made now for 45th Street all the way through; a bridge is planned on 38th Street. He said the Council and administration were working out cross-town patterns that will be needed.

The City Manager stated plans were being made for advertising for bids for the construction of the building and erection of the boiler at the Holly Street Power Station. On the last unit the site improvement and structures, the power piping and power wiring were set up to be bid separately or for a combination bid. Provisions were made that the combination bids of individual low bids would have to have \$25,000 added to it to compare to a single combined bid of one contractor, to take care of the additional supervision. He said from the experience in the past contract, the \$25,000 figure seemed low, and Mr. Higgins recommended that provision not be made for separate bidding, but that bids be taken on the whole job--the site preparation and structure, power piping, and power wiring. The Mayor stated on the past work, many subcontractors asked to figure the work individually. The city was aware of the problems that the separate bids would involve, the additional expense to the engineer and to the city in having the job broken down by three contracts instead of one prime contract, and those were the reasons it was figured that these bids would have to be low by \$25,000 to be considered. The Mayor asked about raising that figure. The City Manager said the experience was that \$50,000 would not begin to cover the additional expense. He said the job would call for prevailing wages on building construction which would be no problem; but if a non-union contractor had the construction, and a union contractor had the mechanical work the job might be delayed. Councilman Armstrong stated it seemed it would be more efficient and more advantageous to the City to have one representative for the completion of the job. Mayor Palmer said the power house is a unique situation and much different from a plain building. Councilman White said Mr. Zachry agreed to pay the prevailing price and work some of the local men before, and what he wanted to do was to have that understanding again, as they did not have too much trouble before. He asked to get Mr. Zachry to agree to use union labor. The Consulting Engineers stated they were not arguing for or against union labor, but they wanted the City to get the best job at the lowest price, and their experience had been the best job with the single contract. Councilman White stated with that agreement he thought that would be 100%. Councilman Shanks said it was his opinion if the building could be constructed more cheaply with a prime contractor, it would be better to save the money. Councilman Armstrong said it is more efficient to coordinate everything through the City Manager, and he believed the construction of this project should be coordinated through a prime contractor so that the schedules could be properly timed. The City Manager stated the timing in this case was more important than in other jobs because the power piping is woven all through the structure. Councilman White stated he wanted it understood that unless Austin people were given some work he would not vote for it. The City Manager stated the contract would contain a provision that local labor would be used; and the Consulting Engineer, Mr. Higgins, said outside contractors do not bring outside labor. Mayor Palmer suggested that a provision be placed in the general contract that the contractor list his sub-contractors. The City Manager said the specifications used before provided that the contractors also use as much equipment that could be found in Austin. Councilman White said he wanted it thoroughly understood that this labor in Austin, Texas, would have to be favored, as these people pay taxes, and spend their money here. The City Manager stated it would be in the instructions to bidders that they would use Austin labor. Councilman Shanks moved that in separate bids, the difference would have to be \$100,000 lower than the combined bid: "The City of Austin, Texas, not only reserves the right to reject any and all bids, and to waive formalities, but also reserves the right to take into account in determining the lowest bid, possible additional internal costs to the City of as much as \$100,000 in administering three (3) individual contracts instead of one (1) combined lump sum contract." The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager stated he had a report on the combustion controls. Representatives of the various bidders met with Mr. Higgins and members of the City Staff and discussed the errors in the bids submitted, and generally the bidders expressed satisfaction with the conclusion reached in that the bids should be re-advertised. MR. HIGGINS, Consulting Engineer, Brown & Root, said all of the firms were well qualified bidders, and there were no reasons why they could not take the specifications and bid them just as they were submitted to them, and the group were all in agreement and a letter is written to put the bidders on notice.

On Joe Manor's request, Councilman White moved that the Optimists Club be granted permission to use the same location as it did last year on Lamar and San Gabriel to sell Christmas trees. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M., the Council resumed its business.

MR. GEORGE COVERT, and a group from the Automobile Dealers Association, appeared before the Council regarding a formula for taxing new cars, demonstrator or company cars, used cars, parts, and accessories. He stated the Association was in agreement mostly, but their disagreement was on the tax of new automobiles. The Council and Tax Assessor discussed the request with the automobile dealers, and Mr. Marshall stated he saw no objection to their recommendation, and he would work this out. Mayor Palmer stated this could be reduced to a formula so that Mr. Covert, Mr. Smith and all of the dealers will know exactly how to value the property. He said this was something the Council was not taking any action on, and the Tax Department and automobile dealers had agreed to a formula on value. Mr. Covert stated the Tax Department had worked with them on this and they had found the Department willing to listen and help work out something, and the Department had been very cooperative.

The Council greeted and welcomed JOANNE WILLIAMS, MARY ANN SEAMEN, BECKY CONN, and DAVE CROSSLEY, students from the Journalism Department of the University.

The Mayor read a letter submitted by ALBERT B. THORN, 2610 West 49 $\frac{1}{2}$  Street, regarding his inability to pay his electric bill, and asking that the service be restored a short while until he went back to work and could pay it. It was suggested he might be eligible for welfare. Mr. Thorn stated he was having a disability, or handicap which prevented him from working before, removed. The Mayor stated he believed if Mr. Thorn could make a payment and assure the Department he would continue to make payments on the back account, that something could be done and the service continued.

Councilman Shanks moved that the Minutes of the Meeting of November 2, 1961, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 8 AND 9, BLOCK D, AND LOT 1, BLOCK G, FORD PLACE NO. 1, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Missouri-Pacific Railroad Company has granted permission for the City of Austin to install an 18 inch pipe line for conveying sewerage at gravity flow at the intersection of Railroad's existing track at Bridge 184.1 in Engineer's Chainage Station 9828/28.4, I.C.C. Cannon Survey, subject to the execution of a Pipe Line License Agreement and the payment of a \$25.00 fee to cover license preparation, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed on behalf of the City, to execute the Pipe Line License Agreement with the Missouri-Pacific Railroad Company according to the terms and conditions of said Pipe Line Agreement.

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to keep this Resolution together with the attached Pipe Line License Agreement above described in the permanent files of the City of Austin without recording said Pipe Line License Agreement at length upon the Minutes of the City Council.

The motion, seconded by Councilman Perry, carried by the following vote:  
 Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The City Manager submitted the following:

"November 3, 1961

"Mr. W. T. Williams, Jr.  
 City Manager  
 Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, November 3, 1961, at the Office of the Director of the Water and Sewer Department for the construction of Sanitary Sewer Improvements in the Bluffington Area. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Austin Engineering Company	\$168,431.91	225
Bland Construction Company	169,979.58	220
Glade Construction Company	189,000.00	120
Wagner-Wehmeyer, Incorporated	195,958.75	250
H. B. Zachary	246,343.00	120

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$168,431.91 with 225 working days.

"Yours truly,  
 s/ S. A. Garza, Superintendent  
 Sanitary Sewer Division  
 s/ Albert R. Davis, Director  
 Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1961, for the construction of sanitary sewer improvements in the Bluffington Area; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$168,431.91 was the lowest bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$168,431.91 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Austin Engineering Company.

The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"November 7, 1961

"To Mr. W. T. Williams, Jr.                      Subject Addition to the Air-Conditioning  
City Manager    System, Police & Courts Building

"We are transmitting herewith copies of bidding tabulation for Addition to the Air-Conditioning System at the Police and Courts Building as received at 2:00 p.m., November 7, 1961.

"Fox and Hearn submitted the lowest bid for the lump sum of \$37,367.00. Construction time of 120 calendar days was included in the Proposal form.

"We are advised by Mr. Segall, Consulting Engineer, that although this firm has only been in business a relatively short time, it has excellent personnel and management. He further states that performance by this company has been very good and that he has no hesitation in recommending the awarding of the Contract to this company.

"Chief Miles joins with me, therefore, in recommending that the Contract be awarded to Fox and Hearn for the lump sum price of \$37,367.00.

"From A. M. Eldridge, Supervising Engineer  
Construction Engineering Division  
Signed A. M. Eldridge"

"BID TABULATION FOR ADDITION TO THE AIR CONDITIONING SYSTEM AT THE POLICE AND COURTS BUILDING

NOVEMBER 7, 1961, COUNCIL ROOM, CITY HALL, AUSTIN, TEXAS

"BIDDERS	BASE BID	DAYS
BILL BUCK	\$38,920.00	120
AIR CONDITIONING, INC.	39,800.00	120
*FOX AND HEARN	37,367.00	120
STRANDIMANN A/C COMPANY	39,872.00	120
YOUNG AND PRATT	41,640.00	120

\*Low Bidder"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 7, 1961, for an addition to the air-conditioning system at the Police and Courts Building; and,

WHEREAS, the bid of Fox and Hearn in the sum of \$37,367.00 was the lowest bid therefor, and the acceptance of such bid has been recommended by the Supervising Engineer, Construction Engineering Division of the City of Austin and by the Chief of Police; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Fox and Hearn in the sum of \$37,367.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Fox and Hearn.

The motion, seconded by Councilman Shanks, carried by the following vote:  
 Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

Councilman White moved that the Council set 10:30 a.m., November 30th, as the date to hear the appeal of H. C. SUDDUTH, JR., from decision of Electric Board. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The Council had before it for decisions the various areas in the over-all study of the zoning of the BEN WHITE BOULEVARD-MANCHACA ROAD AREA, as follows:

Section 1	Corner of Ft. View Road & Manchaca Road	From "O" Office To "LR" Local Retail RECOMMENDED by the Planning Commission
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Councilman Armstrong moved that the zoning change to "LR" Local Retail be granted. The motion, seconded by Councilman Shanks, carried by the following vote:



The Mayor announced that the change to "GR" General Retail had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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Section 9	Four lots on Ben White Boulevard and Gillis Street	From "A" Residence To "GR" General Retail RECOMMENDED by the Planning Commission
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Councilman Armstrong moved that the zoning change to "GR" General Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change to "GR" General Retail had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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Section 10	12 acre tract south of Ben White Boulevard, and east of Russell Drive; and a tract at southwest corner of the Boulevard and Gillis Street	From "A" Residence To "GR" General Retail RECOMMENDED by the Planning Commission
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Councilman Shanks moved that the zoning change to "GR" General Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change to "GR" General Retail had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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Section 11a	Three lots facing on Manchaca Road, south of Service Station	From "A" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
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Councilman White moved that the zoning change to "LR" Local Retail be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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Section 12	Three-lot depth (12 lots) from East of Manchaca Road to East of Russell Drive	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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Councilman Shanks moved that the zoning change to "O" Office be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
 Noes: None

The Mayor announced that the change to "O" Office had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

(The request that 4403 Merle Drive be changed to "LR" Local Retail was not voted on separately; as under the "O" Office zoning just granted, the property could be used under special permits, or probably later change of zoning in connection with 4401 Merle Drive as one piece of property.)

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MR. JOE PERONNE      Three acre tract between  
                               Redd Street and Ben White  
                               Boulevard

The Council took no action on Mr. Joe Peronne's request that his three acre tract between Redd Street and Ben White Boulevard be included in this zoning as "GR" General Retail. The Mayor stated until the deed restrictions on the tier of lots unsold and facing on Pack Saddle Pass were removed, no action should be taken on this request.

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Section 3	Area between Fort View Road and Ben White Boulevard, including four pieces of land across Russell Drive	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
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The Mayor stated some of the property owners wanted "LR" Local Retail. Discussion was held on widening of Fort View Road, and the Mayor asked that the property owners be contacted about right-of-way for widening Fort View Road, and that plans be made to go ahead with the widening. He asked that Mrs. Gravis be advised what is being worked out.

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Section 6

One big lot on Fort View Road

From "C" Commercial To "GR" General Retail RECOMMENDED by the Planning Commission

The Mayor stated no action would be necessary on this, and it would be left "C" Commercial.

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Section 2

About 11 lots on Ben White Boulevard, Manchaca Road & Fort View

From "C" Commercial To "GR" General Retail RECOMMENDED by the Planning Commission

No action taken.

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Section 5

Two lots on Fort View Road (1506-08 Fort View Road)

From "GR" General Retail To "A" Residence RECOMMENDED by the Planning Commission

No action taken.

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Councilman Armstrong moved that the Council reset the hearings on two tax appeals as follows:

- a. COMMODORE PERRY HOTEL, By Franklin Denius, from November 14th to 2:30 p.m., November 16th.
- b. AUSTIN BAKING COMPANY, By Charles N. Avery, Jr., from November 15th to November 30, 2:00 p.m.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor read an acknowledgment from the family of MR. ED RHODES LITTLEFIELD WROE.

Mayor Palmer announced the invitation to open house of the Telephone Company Monday night, November 13th, at 8:00 p.m.

The Mayor read an announcement from the CIVIL AERONAUTICS BOARD that MR. HERBERT D. DAVID would be BUREAU COUNSEL in the Southwestern Area Local Service Case, Docket 10758, in lieu of MR. WILLIAM H. DAPPER.

Mayor Palmer read a letter from J. C. KELLAM, General Manager, KTBC, thanking the Council for its thoughtfulness to CONGRESSMAN THORNBERRY, and for the fine job it was doing on all fronts.

The Mayor read a letter from the Texas and Southwestern Cattle Raisers Association regarding NATIONAL FARM-CITY WEEK - November 17-23, and expressed appreciation for any contribution the Council might make in behalf of a most successful Farm-City Week in Texas.

The Council noted that the City of Austin had invited the TEXAS MUNICIPAL LEAGUE to hold its 1964 meeting in Austin.

The Mayor read a letter from MR. THOMAS E. BERRY, expressing appreciation to the Council for its kind telegram sent to his father GENERAL K. L. BERRY during his recent illness.

MAYOR PALMER read a letter from MR. CLAY BURNS, Baylor Class of 1951, as follows:

"November 3, 1961

"Lester Palmer, Mayor  
City of Austin  
Austin, Texas

"Dear Honorable Mayor:

"Our street signs are orange and white.

"Our Newspaper comes out now and then with special front page orange ink.

"Some of our radio voices have "the orangest sound in town" and one station intersperses regular programing with yells and U.T. fight songs.

"Now, the Chamber of Commerce wants to call our Town Lake.. "Longhorn Lake" with some long muted historical excuse.

"This goes too far !

"Next we will hear the honorable Chamber wants to change the name of Guadalupe Street to "Longhorn Street" and East Avenue to "Longhorn Blvd" !

"Not all your citizens have been dipped in orange ink!

"Respectfully,  
s/ Clay Burns,  
Baylor Class of '51  
11700 Indian Head Drive  
Austin 5, Texas"

Councilman Shanks moved that Indian Head Drive (Mr. Burns' address) be changed to "LONGHORN DRIVE" for one day only on November 11th. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White  
Noes: Mayor Palmer

The Mayor read a letter from MRS. CHARLES F. MITCHELL commending the Library services and expressing appreciation for the fine service that is being provided.

MAYOR PALMER stated the Council had heard nothing but commendations about the SUPERINTENDENT at the ABATTOIR, and that he would like to give special recognition to MR. ELDRED PERRY. The meat packers who have been butchering at the Abattoir have commented on the fine operation Mr. Perry is doing. Councilman Armstrong said the Council complimented Mr. Perry and those at the Abattoir for the efficient manner in which the results of their activities show. Councilman Shanks said the operations had been so outstanding and improved in the last six months that even the members of the Council had been notified by people who use the Abattoir, and the Council feels very proud. Councilman White stated he had known Mr. Perry since he had been down there and he has always done his dead level best to do good; and when things got bad, he kept right on; and now he understood that Mr. Perry was coming right up and getting in the black again, and he appreciated his efforts. MAYOR PALMER stated the Council would give him a vote of thanks for the fine operation and the many comments the Council had received.

Mayor Palmer read a letter from MR. L. B. BERMAN, Vice President, Bond Stores, Inc. expressing personal thanks and gratitude for the graciousness and fine cooperation at the opening of their new store in Austin.

The Mayor read a letter from MISS ANA MARIA SOSA, expressing pleasure in being in Austin once again, and thanking the City for its hospitality. Miss Sosa is connected with the Red Cross.

The City Manager called attention to the report regarding provision of a lane for right turn only for eastbound traffic approaching Lamar Boulevard on West 24th, which report was sent to the Council with its agenda.

The City Manager stated the plans for the 24 inch water main in Speedway from 21st to 33rd Street are on the table for the Council's inspection, and said that bids would be received Friday, November 10th. He stated on all of these public utility projects a set of the plans would be placed on the table, just before they were advertised for bids, and this would give the Council opportunity to examine them thoroughly.

The City Manager reported there was a serious traffic problem on 12th Street between West Avenue and Shoal Creek Boulevard, and it had been recommended by the Traffic Engineer that parking on the north side of 12th Street be eliminated, and he is placing the signs now. The City Manager said this was an administrative matter, but he was letting the Council know, as they might receive some telephone calls. He said this was not in a tow-away zone.

The City Manager stated that DR. CARL J. TRIPOLI, the doctor selected by the Medical Staff to be the Medical Director at Brackenridge Hospital, will be present on November 24th, and MR. CRANDALL, Administrator, had asked that the Council meet with them Friday November 24th. The City Manager said Dr. Tripoli would not be full-time until later, and now, he will be on a per diem basis.

The City Manager stated a check for \$4391 had been received from the Mutual Savings Institution for the benefit of a Natural Science Center. He stated the City had an additional note for an interest in the new note (on which he made a report on October 23) for the remaining amount of \$3,000. This money will be placed in the Trust Fund. The City Manager read the letter written to MISS MARGURITE HILL thanking her for her fine contribution. MAYOR PALMER said when the capital improvements were made, proper recognition should be given to Miss Hill, and that some type of memorial or plaque should be placed in the building.

The City Manager stated in connection with the Center, the City had acquired some property on Deep Eddy Avenue from the Riley's. He said the Director of Recreation would like to use the building as an expansion of this Natural Science Center. They are now occupying the two-story frame building on the east side of Deep Eddy Avenue on the property purchased from the Business and Professional Women's Club, and Mr. Sheffield would like to use this now as a temporary facility to expand the Center.

The City Manager said the Council had been talking about the design of a golf course, and he had a detail estimate of the costs as prepared by the Architect which substantiates the general estimates made by the Recreation Director, including building, of \$300,046. Mr. SHEFFIELD came up with an estimate of \$300,000. This would include equipment needed to get started. MAYOR PALMER asked about the timing of the golf course. The City Manager stated last summer, when the bond program was planned for the past year, this year and the next three years, the sale of the Hancock Tract was behind, and the only suit which was pending against the City was one that was moot. The \$800,000 from the sale of that property was taken into account in doing the financial planning on capital improvements for recreation during this five year program. With this \$800,000 it was thought that only \$450,000 bond money would be necessary to do the jobs needed in this five year period. Since this suit has been amended, and since the case has not been disposed of, the City is now in the position where it has spent a considerable sum of money for construction of the Bartholomew Swimming Pool, the acquisition of land, which will consume much of the \$450,000 bond issue. The City Manager said if the program goes much further and any recreation money is spent, it would be necessary to go into that \$800,000. The City Manager stated he did not think there was much basis for the law suit; but one never

knew what would happen in a law suit, and he said he thought it would be wise to postpone most of the recreation capital improvement planning for this five year period until that suit is disposed of. That would involve the postponement of the golf course, because that is the largest one item in the whole plan. The City Manager stated the Architect says the best plan for developing the course is to begin the construction in the fall so that the construction work would be completed in time for the grass to be planted at the beginning of the growing season. He said it was the thought that it would be best to postpone this until next fall and hope by that time some decision would be made of this case so that construction could be started. He said it would be wise to go on with the planning of the course. There may be some remnants of land that could be used. The Architect's preliminary ideas were to put the greens, lanes and fairways developed the fact as he had suspected that it would be well to acquire the creek on the side of the property--probably 800 or 900 feet in depth. The City Manager said the city has the creek along the north end of the block, and the Architect had said it would be advantageous to acquire the creek bed all the way through. He said the City should proceed with the development of the plans, but the actual construction should be postponed until next fall when it would be possible to go in on a systematic basis and get the construction finished and get the grass planted when it is the right time to plant grass.

MAYOR PALMER asked if it were MR. WILLIAMS' recommendation to hold up on all capital improvements of the Recreation Department. The City Manager said he would have to go mighty slow. The golf course is the largest single item. He listed other projects which are involved:

- \$45,000 - Additions and improvements to Bartholomew Park
- 55,000 - Additions and improvements to Northwest Park
- 25,000 - St. Johns School Play area
- 20,000 - St. Elmo Play area
- Golf course
- 35,000 - Oak Springs Park
- 25,000 - Civitan Playground. (The City Manager said the Council might want to proceed with that, but there would have to be a restudy of the whole picture.)
- 200,000 - Riverfront development, land and actual development work
- 75,000 - Purchase of a north district park
- 9,000 - Riley play ground
- 20,000 - Gullett Playground
- 20,000 - Northeast Play area
- 25,000 - Recreation Department maintenance shop
- 40,000 - Kealing School Area
- 10,000 - Wooten School Play area
- 10,000 - Pecan Springs Play area
- 5,000 - Ortega Play ground
- 20,000 - Bathhouse at Rosewood
- 6,000 - Perry Park
- 10,000 - Area in the Steck Territory
- 10,000 - Improvements in Lake Austin Park
- 10,000 - Southwest Park area
- 10,000 - Barton Hill Play area
- 10,000 - Peyton Gin Road
- 10,000 - Green Acres

COUNCILMAN SHANKS said all of this is being held up and people were being

deprived of this on account of a flimsy delayed action law suit. It was stated the suit was filed by MR. ROBERT H. ZABEL. COUNCILMAN ARMSTRONG said Mr. Shanks was very expressive and covered the whole thing. MAYOR PALMER said it was regrettable that all of these fine recreational programs would be delayed now, as Mr. Shanks pointed out, ~~due to this~~ law suit. Since the schedule had been set up, it had been pretty well worked out and some people had been promised that some of these things would be done, but now it will be necessary that they be delayed. He stated again it was most regrettable that this thing had to happen.

MR. WALTER WENDLANDT asked about the zoning of Item No. 3, the area between Fort View Road and Ben White Boulevard, including about four pieces of land across Russell Drive. Mayor Palmer stated the Council was studying the widening of Fort View Road, and the property owners in that area would be contacted regarding a possible 20' right-of-way, and that the Director of Planning was to check to see what was needed in the area. He said when the property width for the street was obtained, the Council could consider the "LR" zoning; but if the "LR" zoning were granted now on the substandard street, a traffic problem would be created. He asked both of the Wendlandts if it would be agreeable to them to widen Fort View, and both stated it would be. MR. WENDLANDT stated they would like to discuss opening a road on into Ben White Boulevard, besides the widening.

The City Manager stated the bridge across Shoal Creek at Shoal Creek Boulevard is under design. MR. NELSON PUETT had agreed to give a lot on the west bank of the creek, so that the creek could be moved over and the bridge constructed. Shortly, the construction of the bridge should begin. He stated Mr. Puett had not yet sent the deed. The Mayor asked COUNCILMAN SHANKS to contact Mr. Puett and ask him to send the deed in as soon as possible so that construction of the bridge could be started.

The Assistant City Manager stated the TEXAS COWBOYS had requested the use of the same piece of property in front of the Auditorium as they had last year for the Aggie bon-fire, and they wanted to start moving in their material around November 15-16 and the fire will be on the 21st. After discussion, Councilman Armstrong moved that MR. WILSON be authorized to notify the Cowboys that they may have the bon-fire. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Assistant City Manager stated last year the Cowboys used the City storage yard for the bon-fire materials. He suggested that a decision be made as to whether or not this yard would be made available to them this year, since there was difficulty last year--gate broken twice; the materials were burned up twice. Mayor Palmer stated they would have to set up their own guards, and that a check be made with Mr. Vickers that he does not have a large convention between now and the time they want to use the area.

The Assistant City Manager made a report on parking on Exposition Boulevard between Enfield Road and West 35th Street during certain hours. He stated the Traffic and Transportation Department and the Police Department checked and it was found there was no congestion during the peak hours and there were cars parked on the sides at the time. If such a restricted parking were set up, it would be impracticable to enforce. The Police Department stated traffic was moving at a fast speed now; and if parking were restricted, it would move faster. COUNCILMAN PERRY explained the situation where one parked car ruined one lane of traffic, and he favored restricting parking during the peak hours. The Chief of Police stated this would eventually turn out to be a tow-away zone if the restricted parking were established, and the Department is at its lowest ebb now during the peak traffic hours.

COUNCILMAN SHANKS pointed out a bad corner at 35th and Exposition Boulevard.

Councilman White moved that WADE, BARTON and MARSH be employed as Auditors for the current year at the same price as they had last year. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney reviewed a transaction with MR. R. L. TENNISON to purchase his property at 2206 Lovell Drive, and said he was authorized to make an offer of the average of the two appraisers. He said after he talked with Mr. Tennison he made an offer of \$14,750, and providing 120 days occupancy at no cost to Mr. Tennison. The City Attorney stated the Reserve Recovery unit had asked for temporary quarters in this house and the one across the street. MR. TENNISON indicated he had found another place and would like to move into the new home before Christmas, and would not need the additional time. Councilman Shanks moved that the City Manager be authorized to iron out the technicalities and purchase the property. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney stated purchase of some property along Redwood Street had been discussed previously, and he had been asked to check into the price and whether or not the City would be interested in its purchase. The Architect for the golf course suggested this particular property be acquired. MRS. OLIVE SCARBOROUGH owns the rental property, 591' and 400' along Redwood. The City Attorney listed the appraisals for the frontage and improvements and for the rear part, which is 441' deep on the north line and 260' on the side. Councilman Shanks moved that the City Manager be authorized to try to acquire the back portion of the property. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager displayed a map showing the Seaholm Power Plant and the intake. He said the Electric Department would like to do a little fill and bring a line out which would cause the water to flow out into the creek instead of circulating back. The fill will be slightly above the water line to an elevation of 430'. After the work is completed, the fill will be sodded. The Mayor stated if it is needed from a technical standpoint that it should be done; and if there were any inquiries, the Council would know what they are about.

The City Manager stated Mr. Vickers, Manager of the Auditorium, had discussed the placing of a sign, and he thought perhaps the Council would like to let him show them what his ideas were about the location. The two suggestions had been Barton Springs Road and South 1st Street, and Riverside Drive and South 1st Street. MAYOR PALMER asked if it were agreeable to leave it up to Mr. Vickers and COUNCILMAN WHITE, and the Council agreed.

The City Manager had a memorandum from the Tax Assessor about the desires of the Council on certain policies of taxation, and listed five items to be discussed. It was suggested that meetings be held with the airport base operators, and with the contractors, and work out agreements.

The Council called a meeting for 6:00 p.m., Monday, November 13th, with the Director of Aviation, and the base operators at the Airport.

No date was set for the meeting with the contractors at this time.

The City Manager explained an agreement between the Air Force and the City in regard to fires and firefighting where there is a military plane involved. He read a paragraph of the contract. The Contract provided that when Bergstrom Air Force arrived at the scene of a crash, it would assume control of the area. The City Manager stated the Air Force would assume complete control of the aircraft itself, but he believed the Austin Fire Department should be responsible for the exposure area. The Contract could be worked out with this provision added. Councilman Shanks moved that the City Manager be authorized to execute the contract with BERGSTROM AIR FORCE BASE. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney made a report regarding a meeting he, the Chief of Police and the City Manager had about the Sunday Blue laws. The City Attorney read the opinion of the Attorney General which appeared in the newspaper of this date.

The retirement option of MR. J. D. HUFFMAN, JR., was referred to the Retirement Board.

MAYOR PALMER made inquiry about the United Fund lease. The City Attorney stated it would probably be ready by next week.

COUNCILMAN WHITE stated the transaction with MR. F. O. CULLEN had been reported to be satisfactory to him, but he understood now that Mr. Cullen is not satisfied; that he had been assessed for paving, and he had intended to pay for the paving when he paid his taxes, and he was not aware of all of this. The City Attorney stated it was his understanding from his assistant that Mr. Cullen was satisfied with the land agreement. Councilman White suggested that the three of them get together and see what the trouble is.

Inquiry was made as to the clearing of the property of MR. EDDY JOSEPH and of MR. WEBB RUFF. The City Manager stated he had a call from the person complaining about the Eddy Joseph tract, stating mowers were out there and had been working two hours. On the other tract, he had received no report. Councilman White stated he would contact the two property owners.

The Council had before it the following:

"October 20, 1961

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids for Automotive Replacement Batteries - Contract for twelve months, November 1, 1961 - October 31, 1962

"Subject bids were received at the office of the Purchasing Agent at 2:00 P.M. October 19, 1961.

"Bids are for replacement automotive batteries for all departments. This includes service to City cars and trucks from 7:00 A.M. - 7:00 P.M. on week days.

"The bid forms and specifications were approved by the City Attorney.

"Invitation to bid was advertised in the Austin American for two consecutive weeks prior to opening of bids. Also invitation was sent to all firms who bid last year plus those who had asked to bid during the year. Only two bids were received. Montgomery Ward who was low bidder in 1960 and who has present contract, and Southland Battery Warehouse, who was second low last year.

"The following firms were sent invitation to bid. Where they did not bid we are giving their reasons for not submitting bid this year:

"CONSTANT SERVICE COMPANY - Book keeper sick - rest too busy.

WAYNE BULL - Unable to meet specifications on servicing City since this firm does no servicing.

AUSTIN BATTERY - Would have bid, but was moving store and forgot about it.

AUSTIN GOODYEAR - Unable to get firm discounts from factory and knew they would not be competitive.

B. F. GOODRICH - Manager on vacation - No one else in authority.

JACKOWSKI AUTOMOTIVE - Unable to contact as telephone has been disconnected.

GULF SALES - Mr. Hagood - jobber for Gulf Sales said he had date mixed up and planned to submit bid on Oct. 21st.

McCORMICK FARM EQUIP. STORE - Had dates mixed up, planned to submit bid on October 22, 1961.

C. A. DYE - Seemed to believe he would not be able to handle the contract.

"MONTGOMERY-WARD - Bid  
SOUTHLAND BATTERY - Bid  
WESLEY PEARSON - Has never bid but we always send invitation.

"The two bids received are given below:

Montgomery Ward - - - \$7,708.29  
Southland Battery - - - \$8,407.57

"Using this years estimated quantities and Montgomery Ward's low bid of Oct.4, 1960 the total would be \$8,390.75.

"The prices quoted this year are the lowest we have ever received and it is recommended contract be awarded Montgomery Ward. The quality of the batteries and the service of Montgomery Ward during the past year have been excellent.

"W. T. Williams, Jr., City Manager"

COUNCILMAN ARMSTRONG made a report on the examination of the bids for batteries. He stated the specifications were outdated, and that very few companies made the wet batteries. He suggested that next year, the specifications be rewritten and brought up to date. Councilman White offered the following resolution and moved its adoption:

WHEREAS, bids were received by the City of Austin on October 19, 1961 for furnishing automobile replacement batteries for a twelve month period; and,

WHEREAS, the bid of Montgomery-Ward in the sum of \$8,390.75 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Montgomery-Ward in the sum of \$8,390.75 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Montgomery-Ward.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

COUNCILMAN ARMSTRONG inquired about the report about the property east of the Interregional. The City Attorney stated the property had been sold to the Coverts, and it was their thought the fill belonged to the city. The Director of Public Works stated the City had to move from the fill, as the property belonged to the Coverts.

COUNCILMAN ARMSTRONG made inquiry about the contribution Alcoholics Anonymous made. The Chief of Police explained its position in the treatment

of alcoholism. Councilman Armstrong inquired if they could be furnished utilities since they did not put on drives, and supported themselves through their own members. The City Manager explained there was an ordinance prohibiting furnishing free utilities and explained the present situation with other organizations. The Mayor referred this matter to the City Manager to see which rate classification this organization was in.

There being no further business, the Council adjourned at 6:50 P.M., subject to the call of the Mayor.

APPROVED

Lin F. E. Palmer  
Mayor

ATTEST:

Elaine Rossley  
City Clerk

## NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City of Austin will be held on the 14th day of November, 1961, at the Municipal Building, Eighth and Colorado, in Austin, Texas, at 2:00 P. M. for the purpose of hearing Tax Appeals.

(Sgd) Elsie Woosley  
City Clerk

(Sgd) Lester E. Palmer  
Mayor  
City of Austin, Texas

ATTEST:

(Sgd) Elsie Woosley  
City Clerk

## CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and place therein named, and for the purpose therein stated.

(Sgd) R. C. Armstrong

(Sgd) Edgar Perry

(Sgd) Louis F. Shanks

(Sgd) Ben White